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**FEE RECEIVED**

JUN - 6 2005

**SURFACE  
TRANSPORTATION BOARD**



4 June 2005

Hon. Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, D.C. 20423-0001

214-133

Re: BG & CM Railroad --  
Acquisition and Operation Exemption --  
Great Northwest Railroad, Inc.,  
Finance Docket 34713

For filing on 6 June 2005

ENTERED  
Office of Proceedings  
JUN - 6 2005  
Part of  
Public Record

Dear Mr. Secretary:

Enclosed for filing, on behalf of BG & CM Railroad, please find an original and ten copies of a notice of exemption pursuant to 49 C.F.R. § 1150.31, et seq. pertaining to approximately 76.2 miles of Great Northwest Railroad's lines in Idaho. A check made out to Surface Transportation Board in the amount of the \$1500 filing fee is also enclosed.

By my signature below, I certify service upon Karl Morell, Esq. (counsel for Great Northwest Railroad) at Ball Janik, 1455 F St., N.W., Suite 225, Washington, D.C. 20005, by facsimile transmission to 202-783-6947 and by deposit in U.S. Mail, postage pre-paid first class, on the date above.

Respectfully submitted,

Charles H. Montange  
426 NW 162d St.  
Seattle, WA 98177  
(206) 546-1936,  
for BG and CM Railroad  
applicant for § 1150.31  
exemption

Encls (orig plus ten, check, disc in WP12)

cc. Mr. Michael Williams, Pres.,  
BG & CM RR

**FILED**  
JUN - 6 2005  
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TRANSPORTATION BOARD

214133

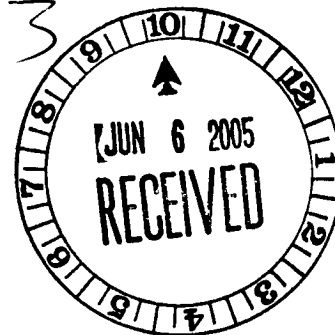
## BEFORE THE SURFACE TRANSPORTATION BOARD

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Office of Proceedings

JUN - 6 2005

Part of  
Public RecordBG & CM Railroad  
-- acquisition and operation exemption--  
Great Northwest Railroad, Inc.

Finance Docket 34713



BG & CM Railroad hereby gives notice, pursuant to 49 C.F.R. § 1150.31, et seq, of a notice of exemption to acquire and to operate the following lines of Great Northwest Railroad, Inc., in Nez Perce, Clearwater and Lewis Counties, Idaho:

- (i) Milepost (MP) 132.7 east of Lewiston to MP 61.0 (end of line), at or near Kooskia;
- (ii) MP 0.0 at Spalding to MP 1.0 near Spalding;<sup>1</sup> and
- (iii) MP 0.0 at Orofino to M.P. 3.5 at Konkolville.

As required by 49 C.F.R. § 1150.33, BG & CM Railroad makes the following representations:

(a) Full name and address of applicant: BG & CM Railroad, P.O. Box 612, Richmond, Missouri 64085.

(b) Representative of applicant who should receive correspondence: Charles H. Montange, 426 NW 162d St., Seattle,

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<sup>1</sup> Pursuant to BG & CM Railroad, Inc. -- Exemption from 49 U.S.C. Subtitle IV, STB Fin. Docket 34399, served Oct. 17, 2003, clarified (as to status of MP 0.0 to MP 1.0), Camas Prairie Railnet, Inc. -- Abandonment -- in Lewis, et al. Counties, ID, AB-564, served May 3, 2004, BG & CM has previously acquired and operates an extension of this segment from MP 1.0 near Spalding to end of line at MP 66.8 near Grangeville as a contract (not a common carrier) railroad. BG & CM's status as a contract rather than a common carrier railroad between MP 1.0 near Spalding and MP 66.8 near Grangeville (i.e., BG & CM's exemption granted in F.D. 34399 for the MP 1.0 to MP 66.8 segment) will not change as a result of this filing.

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WA 98177.

(c) Statement concerning status of agreement: BG & CM Railroad and Great Northwest Railroad, Inc., have entered into a contract for BG & CM to acquire all the property in the rights of way indicated above currently held by Great Northwest Railroad, Inc., contingent upon requisite authority from this Board.

(d) Operator: BG & CM Railroad.

(e) Summary.

(1) Name and address of railroad transferring the subject property: Great Northwest Railroad, Inc.

(2) The proposed time schedule for consummation of the transaction: Monday, June 13, 2005, or as soon as otherwise permitted under 49 C.F.R. § 1150.32(d) (seven days from filing).

(3) Mileposts of the subject property:

(i) Milepost (MP) 132.7 east of Lewiston to MP 61.0 (end of line), at or near Kosskia;

(ii) MP 0.0 at Spalding to MP 1.0 near Spalding; and

(iii) MP 0.0 at Orofino to M.P. 3.5 at Konkolville.

(4) Total route miles: approximately 76.2.

(f) Map. See Exhibit A.

(g) Certificate that applicant's projected revenues do not exceed those that would qualify it as a Class III carrier. See Exhibit B.

Compliance with 49 C.F.R. § 1150.34 (caption summary). See

Exhibit C.

Compliance with 49 C.F.R. § 1150.32(e). Inasmuch as expected revenue is projected to be substantially under \$5 million, no further compliance with the notice requirements of § 1150.32(e) is required.

Compliance with 49 C.F.R. § 1150.32(d) (requirement that applicant preserve intact all sites and structures more than 50 years old). Applicant will preserve intact all sites and structures more than 50 years old.

Verification. See Exhibit D.

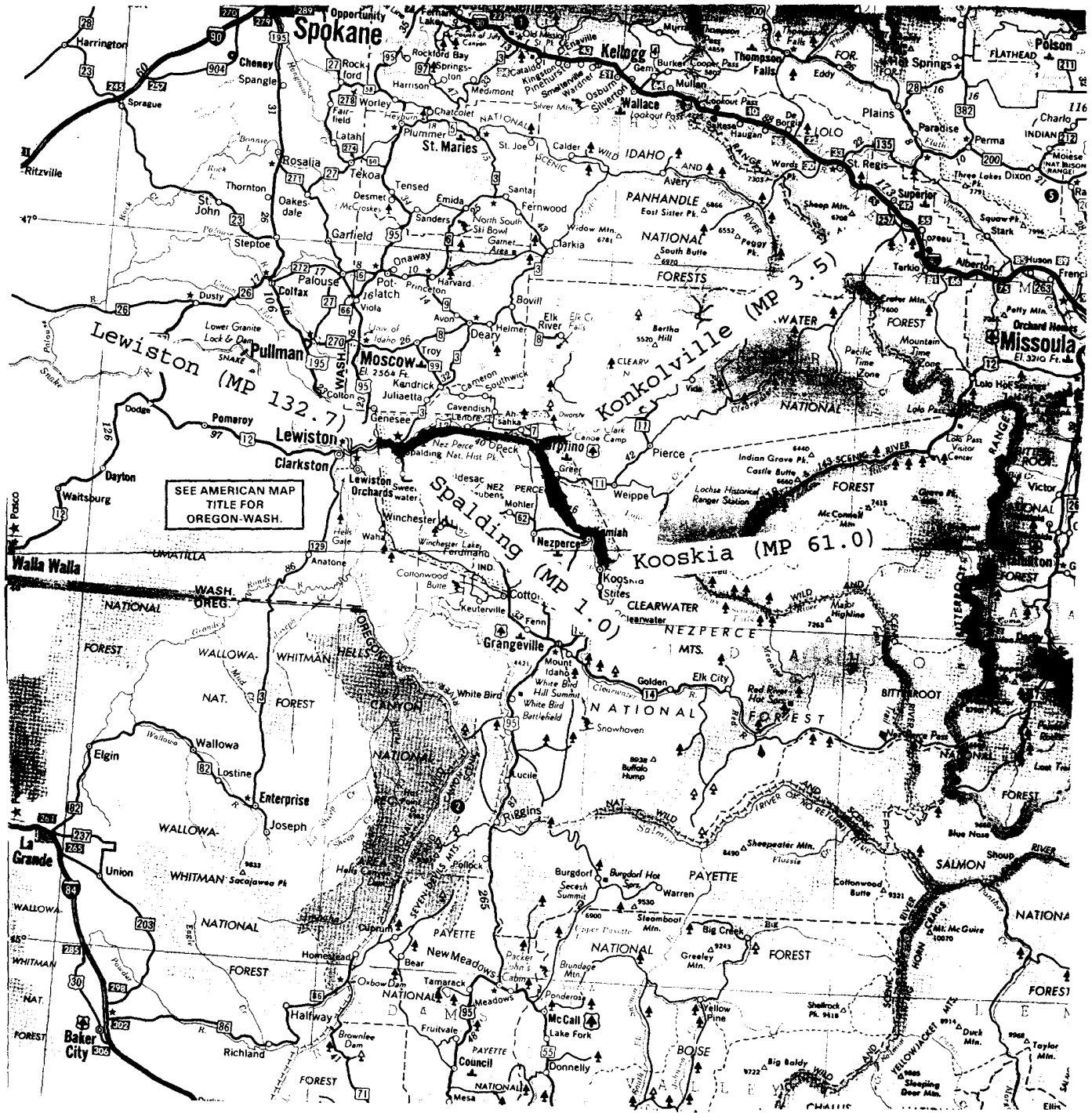
Respectfully submitted,

Charles H. Montange  
426 NW 162d St.  
Seattle, WA 98177  
(206) 546-1936  
for BG & CM Railroad, Inc.

Att(s): Exhibit A -- Map  
Exhibit B -- Revenue Certificate  
Exhibit C -- Caption Summary  
Exhibit D -- Verification

# Exhibit A

## Map



## Exhibit B

## Revenue Certification

I, Michael Williams, president of BG & CM Railroad, hereby certify that expected annual revenues from this line will be well below the revenue limitations for a Class III railroad and are expected to be less than \$1 million per year.

Michael Williams Pres

Exhibit C  
Caption Summary  
pursuant to  
49 C.F.R. § 1150.34

BEFORE THE SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

BG & CM Railroad  
-- acquisition and operation exemption--  
Great Northwest Railroad, Inc.

F.D. 34713

BG & CM Railroad has filed a notice of exemption to acquire and to operate Great Northwest Railroad, Inc.'s lines in Nez Perce, Clearwater, and Lewis Counties, Idaho, as follows:

- (i) Milepost (MP) 132.7 east of Lewiston to MP 61.0 (end of line), at or near Kooskia;
- (ii) MP 0.0 at Spalding to MP 1.0 near Spalding;<sup>2</sup> and
- (iii) MP 0.0 at Orofino to M.P. 3.5 at Konkolville.

Comments must be filed with the Board and served on BG & CM Railroad's representative: Charles H. Montange, 426 NW 162d St., Seattle, WA 98177, telephone (206) 546-1936; fax (206) 546-3739.

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<sup>2</sup> Pursuant to BG & CM Railroad, Inc. -- Exemption from 49 U.S.C. Subtitle IV, STB Fin. Docket 34399, served Oct. 17, 2003, clarified (as to status of MP 0.0 to MP 1.0), Camas Prairie Railnet, Inc. -- Abandonment -- in Lewis, et al. Counties, ID, AB-564, served May 3, 2004, BG & CM has previously acquired and operates an extension of this segment from MP 1.0 near Spalding to end of line at MP 66.8 near Grangeville as a contract (not a common carrier) railroad. BG & CM's status as a contract rather than a common carrier between MP 1.0 near Spalding and MP 66.8 near Grangeville will not change as a result of this filing.

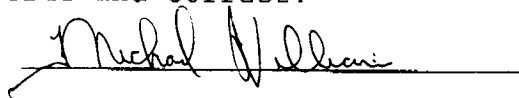
The notice is filed under § 1150.31. If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.



## Exhibit B

## Verification

I, Michael Williams, declare under penalty of perjury (a) that I am president of BG & CM Railroad, and (b) that the statements contained in the Notice of Exemption of which this Verification is a part are true and correct.

A handwritten signature in cursive script, appearing to read "Michael Williams", is written over a horizontal line.

Executed on: June 3, 2005.